

CRIMINAL PROCEDURE AND RELATED MATTERS (outline, abbreviated)						
Ch. 801 Criminal Procedure Scope and Definitions						
Ch. 802 Limitation of Criminal Actions						
Ch. 803 Jurisdiction of Public Offenses and Place of Trial						
Ch. 804 Commencement of Actions--Arrest--Dispositions of Prisoners						
Ch. 805 Citations in Lieu of Arrest						
805.8 Scheduled violations						
805.11 Other violations--can't suspend fines for scheduled violations						
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Ch. 807 Proceedings Against Corporations						
Ch. 808 Search and Seizure						
Ch. 808A Student Seizures						
Ch. 808B Interception of Communications						
Ch. 809 Disposition of Seized Property						
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Ch. 810 Nontestimonial Identification						
Ch. 811 Pretrial Release--Bail						
Ch. 812 Confinement of Dangerous Persons, Persons with Mental Incompetence						
Ch. 814 Appeals from the District Court						
Ch. 815 Costs--Compensation and Fees--Indigent Defense						
Ch. 816 Double Jeopardy						
Chs. 817-821 re: Special Powers, Extradition, and Witnesses from out of state and prisoners						
Ch. 822 Postconviction Procedure						

CRIMINAL CORRECTIONS STATUTES (selected for quick reference)						
Ch. 901 Judgment and Sentencing Procedures						
901.4A Substance Abuse Evaluation						
901.5 Pronouncing judgment and sentence						
901.5(7) shall inform defendant of mandatory minimum sentence, if applicable						
901.5(8A) order DNA profiling for convictions and def. judg. per 81.2						
901.5(9) shall announce (for agg or felony) that incarceration may be reduced for earned time/work credit/program credits, may be eligible for parole, and whether multiple sentences are consecutive or concurrent						
901.5(12) shall consider denial of certain federal benefits per 901.5(11) and 21 USC sec. 862; and state benefits						
901.5(13) sentence per 903B.1 or 903B.2 if required						
901.8 Consecutive sentences						
901.10- Reduction of sentences						
Ch. 901A Enhanced sentencing for sexually predatory offenses--						
901A.1(1) "Sexually predatory offense": any ser/agg/felony violation of ch. 709, sec. 728.12(1), sec. 725.3(2), or attempt to commit such offenses						
901A.2(1) 2nd offense sexual predator, serious/agg misdemeanor, 2x maximum incarceration prior to parole or work release; serve minimum 85%						
901A.2(2) 3rd offense sexual predator, serious/agg misdemeanor, sentence 10 yrs.; serve minimum 85%						
901A.2(3) 2nd offense sexual predator, felony, greater of 2x maximum incarceration or 25 yrs unless 901A.2(5) applies; serve minimum 85%						
901A.2(4) 3rd offense sexual predator, felony, life sentence as class "A" felony under 902.1 unless 901A.2(5) applies						
901A.2(5) 2nd offense 709.3(2), life sentence as class "A" felony under chs. 901-909						
901A.2(6) If sentenced under 901A.2, no deferred judgment/sentence or suspended sentence						
901A.2(7) If convicted under subsections 1, 2, or 3, add up to 2 yrs of parole/work release						
Ch. 901B Intermediate Criminal Sanctions						
Ch. 902 Felonies						
902.1 Class A felony						
902.3 Indeterminate sentence, except may sentence a "D" to up to one yr. in county jail						
902.3A Determinate sentencing for certain Class D felonies--remember to add consecutive 2 yrs. indeterminate						
902.4 Reconsideration of felon's sentence						
902.7 Minimum sentence--use of a dangerous weapon: If forcible felony (defined in 702.11) and dangerous weapon = min. 5 years before parole						
902.8 Minimum sentence-- habitual offender : If convicted of Class "C" or "D" and 2 prior felonies = min.3 years before parole						
902.8A Minimum sentence for conspiring to mfg or deliver amphetamine or meth to minor under 124.401D = min. 10 years before parole						
902.9 Maximum sentence for felons						
902.9(1) 99 years for 1st offense of 124.401D: no parole until after 10 yrs. per 902.8A						
902.9(2) "B" felony up to 25 yrs.						
902.9(3) habitual offender (2 prior "C" or "D"s), no more than 15 yrs, and no parole until serve 3 yrs per 902.8; and no fine						

END NOTES--by Code section

Notes: (Enhancement/Sentencing/Other)							
Code Sec.	Description	Notes/Enhancements/Other					
124.401(1)(a)	large quantities	-.401(1)(e)-(f); -.401A,B,C,D,E; -.411-.413; 902.9(2); 907.3(1)(k), (2)(e), (3)(e); n.J; (1/3 n/a marij.)					
124.401(1)(b)	less quantity	-.401(1)(e)-(f); -.401A,B,C,D,E; -.411-.413; 902.9(2); 907.3(1)(k), (2)(e), (3)(e); n.J; 124.401(b)(8); (1/3 n/a marij.)					
124.401(1)(c)	less quantity	124.401E(1),(2); 124.411; 124.412; 124.413; 902.9(4); n.J; (1/3 n/a marij.)					
124.401(1)(d)	50 kilo marij	124.411; 124.412; 124.413; n.J					
	OR sch. IV-V	124.412; 124.413; n.J					
124.401(1)(e)	(1)w/firearm	see 124.401(1)(a)-(b); 124.411; 124.412; 124.413					
124.401(1)(f)	(1)w/weapon	see 124.401(1)(a)-(b); 124.411; 124.412; 124.413					
124.401(3)	ephedrine,etc.	124.411; 124.412; 124.413; n.J					
124.401(4)	ephedrine,etc.	124.411; 124.412; 124.413; n.J					
124.401(5)	possess-1st	124.412; 124.413; conditional discharge/testing per 124.409; n.J					
	possess-2nd	124.412; 124.413; testing, n.J					
	possess-3rd	124.412; 124.413; testing, n.J					
	poss-marij-1st	124.412; 124.413; testing, n.J					
	poss-marij-2nd	124.412; 124.413; testing, n.J					
	poss-marij-3rd	124.412; 124.413; testing, n.J					
124.401A	<18 w/in 1000ft.	applies to chap. 124 distribution or poss.w/intent of sch. I, II, or III					
124.401B	w/in 1000ft.	may + 100 hrs. comm. svc.; if poss. w/in 1000 ft. of schools,etc.					
124.401C	mfg.meth near minor	see 124.401(1)(a),(b); am. by 2004 HF 2150 to omit the +5 years if sentence under 726.6(1)(g)					
124.401D(1)	mfg.to deliv.to minor	see 124.401(1)(a),(b); 902.8A; 902.9(1)					
	2nd off.	see 124.401(1)(a),(b); 902.1; 902.8A					
124.401D(2)	deliv. meth to minor	see 124.401(1)(a),(b); 902.8A; 902.9(1)					
	2nd off.	see 124.401(1)(a),(b); 902.1; 902.8A					
124.401E(1),(2)	mfg./del.meth.1st	if under 124.401(1)(c); may order t'ment, send to resid. fac. 1 yr.					
124.401E(3)	del./intent meth.2nd	any violation of 124.401(1) w/meth, sent. per 124.413					
124.401F	anhydrous	124.412; may add \$1875 civil penalty					
124.402(1)(a)	violate 124.308	see 124.412					
124.402(1)(b)	violate regist.	see 124.412					
124.402(1)(c)	records failure	see 124.412					
124.402(1)(d)	refuse inspect	see 124.412					
124.402(1)(e)	wrong storage	see 124.412					
124.403-	misc.proh.acts	see 124.412					
124.406(1)(a)	dist.sch.I-II	see 124.412					
	w/in 1000ft.	see 124.412					
124.406(1)(b)	sch.III >3yrs	see 124.412					
124.406(1)(c)	sch.IV >3yr	see 124.412					
124.406(2)(a)	sch.I-II cntrft	see 124.412					
	w/in 1000ft.	see 124.412					
124.406(2)(b)	sch.III cntrft>3	see 124.412					
124.406(2)(c)	sch.IV-Vcntrft>3	see 124.412					
124.406(3)	consp.to del.	see 124.412					
124.406A	consp.w/minor	see 124.412					
124.407	unlawful mtg.	may grant an injunction					
	if marij. only	may grant an injunction					
124.410-	mj accom.	1/2 oz. or less marij. only, sentence per 124.401(5); 1st offense may conditional discharger per 124.409(1)					
124.411(1)	2nd offense ch.124	n/a to 124.401(5)					
124.414	paraphernalia	124					
Ch. 155A Pharmacy		n.D					
236.8	violation of order	moved to new ch. 664A per 2006 HF2652, sec. 5-12					
321J.2(2)(a)	1st OWI	may waive \$625 of fine, may do comm. svc.; eval/t'ment per (2)(a)(4) and (3)(b)-(c); am. per 2006 HF 2789, sec. 1					
321J.2(2)(b)	2nd OWI	eval/t'ment per (2)(a)(4) and (3)(b)-(c); impound per 321J.4B(2); am. per 2006 HF 2789, sec. 2					
321J.2(2)(c)	3rd OWI	eval/t'ment per (2)(a)(4) and (3)(b)-(c); impound per 321J.4B(2); am. per 2006 HF 2789, sec. 3					
453B.12	tax stamp	453B.16 requires notice and info to DOT					
462A.14(2)(a)	1st OWI-boat	may waive \$500 of fine, may do comm. svc.; eval/t'ment per (2)(a)(4)					
462A.14(2)(b)	2nd OWI-boat	eval and t'ment per (2)(b)(4)					
462A.14(2)(c)	3rd OWI-boat	eval and t'ment per (2)(c)(4)					
462A.14(2)(d)	OWI-boat & inj.	eval and t'ment per (2)(c)(d)					
462A.14(2)(e)	OWI-boat,death	eval and t'ment per (2)(c)(e)					
664A.7(3)	violation-contempt	max. penalties for contempt per 665.4: App. Cts. \$1000 and/or 6 mos.; Dist. Ct. \$500 and/or 6 mos.; Mag. Ct. \$100 and/or 30 days.					
707.2	Murder 1st	sex reg. if sex abuse occurs					
707.3	Murder 2nd	sex reg. if sex abuse occurs; 902.12(1)					
707.6A(1)	Veh.Homicide--OWI	eval./classes per 707.6A(1)(b),(d); no def/susp. per 907.3(1)(j),(2)(d) (Note under 707.6A(2) applies here also)					
707.6A(2)	Veh.Hom. rkles/elud	Prison is suspendable UNLESS convicted of 321.261(4), then 70% rule applies; see 902.12(6) (am. 2006 HF2398)					
707.6A(3)	Veh.Homicide-racing	in violation of 321.278					
707.6A(4)	Veh.injury--OWI	refers to 321J.2(1),(2); 707.6A(7)					

END NOTES--by Code section--cont'd									
707.11	Att. murder								
708.2A(2)(a)	dom.abuse 1st	2-days can't susp., may defer per 708.2A(6)(a); batterers' prog. per 708.2A(9)							
708.2A(2)(b)	dom.ab/w/inj. 1st	2-days can't susp., may defer per 708.2A(6)(a); batterers' prog. per 708.2A(9)							
708.2A(2)(c)	dom.ab/w/int.,weap.	2-days can't susp., may defer per 708.2A(6)(a); batterers' prog. per 708.2A(9)							
708.2A(3)	enhanced offenses	(see above)							
708.2A(4)	dom.ab.3rd	enhancements per 708.2A(6)(b)							
708.4(2)	willful inj.--bodily inj.	not forcible felony per 702.11(2)(a)							
708.7(2)	harrassment 1st	no contact order per 664A.3, .5							
708.7(3)	harrassment 2nd	no contact order per 664A.3, .5							
708.7(4)	harrassment 3rd	no contact order per 664A.3, .5							
708.11(3)(a)	stalking 3rd offense	no contact order per 664A.3, .5							
708.11(3)(b)	stalking--specifics	no contact order per 664A.3, .5							
708.11(3)(c)	stalking--other	no contact order per 664A.3, .5							
709.2	SexAb.1st deg.	yes per 901A; if spouse see 702.11(2)(b) + special sentence per 903B.1 (see above)							
709.3	SexAb.2nd deg.1st	902.12(3); 2d offense life per 901A.2(5); if spouse see 702.11(2)(b); + special sentence per 903B.1 (see above)							
709.4	SexAb.3rd deg.	5 yrs. l'arm; 2d-3d per 901A.2(3)-(4); re: forcible see 702.11(2); sex reg. if 709.4(1)+ special sentence per 903B.1 (see above)							
709.7	Detention in brothel	2d-3d off. per 901A.2(3)-(4); see 901A.2(6)-(7); if spouse see 702.11(2)(b)+ special sentence per 903B.1 (see above)							
709.8	Lac.Acts w/child	2d-3d per 901A.2(3)-(4); 901A.2(6)-(7); if spouse, 702.11(2)(b); sex reg. if 709.8(1)+ special sentence per 903B.2 (see above)							
709.9	Ind.Exp.	2d-3d off. per 901A.2(1)-(2); see 901A.2(6)-(7); if spouse see 702.11(2)(b)+ special sentence per 903B.2 (see above); 2006 HF2789							
709.11	Sex Ab.Ass.ser.inj.	2d-3d off. per 901A.2(1)-(2); see 901A.2(6)-(7); if spouse see 702.11(2)(b)+ special sentence per 903B.2 (see above)							
	Sex.Ab.Ass.w/inj.	2d-3d off. per 901A.2(1)-(2); see 901A.2(6)-(7); if spouse see 702.11(2)(b)+ special sentence per 903B.2 (see above)							
	Sex.Ab.Ass.w/o inj.	2d-3d off. per 901A.2(1)-(2); see 901A.2(6)-(7); if spouse see 702.11(2)(b)+ special sentence per 903B.2 (see above); 2006 HF2789							
709.12	Ind.Cont.Ch	2d-3d off. per 901A.2(1)-(2); see 901A.2(6)-(7); if spouse see 702.11(2)(b)+ special sentence per 903B.2 (see above); 2006 HF2789							
709.14	Las.Acts w/minor	2d-3d off. per 901A.2(1)-(2); see 901A.2(6)-(7); if spouse see 702.11(2)(b)+ special sentence per 903B.2 (see above); 2006 HF2789							
709.15(4)(a)	By Couns/Ther'p'st	2d-3d off. per 901A.2(3)-(4); see 901A.2(6)-(7); if spouse see 702.11(2)(b) + special sentence per 903B.2 (see above)							
709.15(4)(b)	By Couns/Ther'p'st	2d-3d off. per 901A.2(1)-(2); see 901A.2(6)-(7); if spouse see 702.11(2)(b)+ special sentence per 903B.2 (see above); 2006 HF2789							
709.15(4)(c)	By Couns/Ther'p'st	2d-3d off. per 901A.2(1)-(2); see 901A.2(6)-(7); if spouse see 702.11(2)(b)+ special sentence per 903B.2 (see above); 2006 HF2789							
709.15(5)(a)	By School Emp'ee	plus special sentence per 903B.2 (see above)							
709.15(5)(b)	By School Emp'ee	plus special sentence per 903B.2 (see above); 2006 HF2789							
709.16(1)	w/offender	2d-3d off. per 901A.2(1)-(2); see 901A.2(6)-(7); if spouse see 702.11(2)(b)+ special sentence per 903B.2 (see above); 2006 HF2789							
709.16(2)	w/juvenile	2d-3d off. per 901A.2(1)-(2); see 901A.2(6)-(7); if spouse see 702.11(2)(b)+ special sentence per 903B.2 (see above); 2006 HF2789							
709.16(3)	w/jail prisnr	2d-3d off. per 901A.2(1)-(2); see 901A.2(6)-(7); if spouse see 702.11(2)(b)+ special sentence per 903B.2 (see above); 2006 HF2789							
709.18(4)	w/corpse	2d-3d off. per 901A.2(3)-(4); see 901A.2(6)-(7); if spouse see 702.11(2)(b)+ special sentence per 903B.2 (see above) (am. 2007 HF 432)							
709.19A	invasion privacy	plus special sentence per 903B.2 (see above); 2006 HF2789							
710.2	Kidnap1st	restitution; sex reg. if victim is minor or sex abuse occurs							
710.3	Kidnap2nd	sex reg. if victim is minor or sex abuse occurs							
710.4	Kidnap3rd	sex reg. if victim is minor (except by parent) or sex abuse occurs							
710.7	False Imprison	sex reg. if victim is minor (except by parent)							
711.2	Robbery 1st	902.12(5)							
711.3	Robbery 2nd	902.12(5)							
712.3	Arson 2nd	712.9 re: hate crimes							
712.4	Arson 3rd	712.9 re: hate crimes							
712.5	Reckless Use	712.9 re: hate crimes							
712.6(1)	Explosives w/ intent	712.9 re: hate crimes; 2008 HF2266							
712.6(2)(a)	Poss. Explosives	712.9 re: hate crimes; 2008 HF2266							
712.6(3)	Expl. placed w/int.	712.9 re: hate crimes; 2008 HF2266							
712.7	False reports	712.9 re: hate crimes							
712.8	Threats	712.9 re: hate crimes							
713.3	Burg.1st	sex registry if violation of 713.3(1)(d)							
714.2(5)	Theft 5th	per section 714.7D on second offense may suspend license for up to 30 days							
722.1	Bribery	disqualified from holding public office							
722.2	Accept Bribe	disqualified from holding public office							
724.3	poss.off.weapon	double fine if in weapons free zone per 724.4A							
724.4(1)	concealed firearm	double fine if in weapons free zone per 724.4A							
725.3(2)	Pandering minor	2d offense per 901A.2(3); 3d offense per .2(4); see 901A.2(6)-(7)							
725.16	violation of Ch.99B	look at chapter 99B							
725.19(1)	gambling by minors	scheduled violation per 805.8C(4)							
726.2	Incest	plus special sentence per 903B.2 (see above)							
728.2	dissem. to minor	revoke licenses for 6 month per 728.8							
728.3(1)	admit min. premises	revoke licenses for 6 month per 728.8							
728.3(2)	admit child	revoke licenses for 6 month per 728.8							
728.5	public indecent exp.	revoke licenses for 6 month per 728.8							
728.5(6)	...involving minor	revoke licenses for 6 month per 728.8							
728.12(1)	exploit minor	2d offense per 901A.2(3); 3d offense per .2(4); see 901A.2(6)-(7)+ special sentence per 903B.1 (see above)							

